

UNITED STATES DISTRICT COURT

NORTHERN

District of

GEORGIA

United States of America

V.

NICHOLAS BURKS

**ORDER SETTING CONDITIONS
OF RELEASE**

Case Number: 1:21-MJ-1135-LTW

Defendant

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing before any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall appear at (if blank, to be notified) TO BE NOTIFIED

Place

on

Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- (☒) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- (☒) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of TEN THOUSAND dollars (\$ 10,000.00) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

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ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release by one of the above methods will not by itself reasonably assure the defendant's appearance and the safety of other persons or the community, IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

() (7) The defendant is placed in the custody of:

Person or organization _____

Address (only if above is an organization) _____

City and state _____

Tel. No. (only if above is an organization) _____

who agrees (a) to supervise the defendant in accordance with all of the conditions of release, (b) to use every effort to assure the defendant's appearance at all scheduled court proceedings, and (c) to notify the court immediately if the defendant violates any condition of release or disappears.

Signed: _____

Custodian or Proxy

Date

DEFENDANT:

(X) () The defendant must:

- (X) (a) report to the U.S. PRETRIAL SERVICES,
telephone number 404-215-1950, no later than 5:00 PM TODAY.
- (X) (b) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property:
10,000.00 (or)
- () (c) post with the court the following proof of ownership of the designated property, or the following amount or percentage of the above-described sum _____
- () (d) execute a bail bond with solvent sureties in the amount of \$ _____.
- (X) (e) maintain or actively seek employment.
- () (f) maintain or commence an education program.
- (X) (g) surrender any passport to: U. S. PRETRIAL SERVICES by COB 12/03/2021.
- (X) (h) obtain no passport.
- (X) (i) abide by the following restrictions on personal association, place of abode, or travel: RESIDE AT THE ADDRESS PROVIDED TO U.S. PRETRIAL SERVICES AND DO NOT CHANGE ADDRESS W/O PRE-APPROVAL FROM THIS COURT.
- (X) (j) avoid all contact, directly or indirectly, with any person who is or may become a victim or potential witness in the investigation or prosecution, including but not limited to: PROHIBITED FROM CONTACTING THE COMPANY NAMED IN THE INDICTMENT. MAY NOT PHYSICALLY WORK IN ANYONE'S HOME THRU HIS BUSINESS. MAY NOT USE PRIVATE VPN ON ANY DEVICE WHILE ON INTERNET
- () (k) undergo medical or psychiatric treatment: _____
- () (l) return to custody each (week) day at _____ o'clock after being released each (week) day at _____ o'clock for employment, schooling, or the following purpose(s): _____
- () (m) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.
- (X) (n) refrain from possessing a firearm, destructive device, or other dangerous weapons **TO INCLUDE AMMUNITION.**
- (X) (o) refrain from () any (X) excessive use of alcohol.
- (X) (p) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- () (q) submit to any testing required by the pretrial services office or the supervising officer to determine whether the defendant is using a prohibited substance. Any testing may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or monitoring which is (are) required as a condition of release.
- () (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if the pretrial services office or supervising officer considers it advisable.
- () (s) participate in one of the following location monitoring program components and abide by its requirements as the pretrial services officer or supervising officer instructs.
 - () (i) **Curfew.** You are restricted to your residence every day () from _____ to _____, or () as directed by the pretrial services officer or supervising officer; or
 - () (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities pre-approved by the pretrial services office or supervising officer; or
 - () (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down except for medical necessities and court appearances or other activities specifically approved by the court.
- () (t) submit to the location monitoring indicated below and abide by all of the program requirements and instructions provided by the pretrial services officer or supervising officer related to the proper operation of the technology.
 - () The defendant must pay all or part of the cost of the program based upon your ability to pay as the pretrial services office or supervising officer determines.
 - () (i) Location monitoring technology as directed by the pretrial services office or supervising officer;
 - () (ii) Radio Frequency (RF) monitoring;
 - () (iii) Passive Global Positioning Satellite (GPS) monitoring;
 - () (iv) Active Global Positioning Satellite (GPS) monitoring (including "hybrid" (Active/Passive) GPS);
 - () (v) Voice Recognition monitoring.
- (X) (u) Defendant ORDERED to remain w/in the jurisdiction of the NDGA and MDTN unless pre-approval from U.S. Pretrial Services is received.
All employment must be approved by PTS after the nature of the pending charges is disclosed. DFT must not

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